United Nations A/C.3/58/SR.55

General Assembly
Fifty-eighth session

Official Records

Distr.: General
5 December 2003

Original: English

Third Committee

Summary record of the 55th meeting
Held at Headquarters, New York, on Monday, 24 November 2003, at 10 a.m.

Chairman: Mr. Maertens (Vice-Chairman) ..... (Belgium)

Contents

Agenda item 117: Human rights questions (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*)

(c) Human rights questions: human rights situations and reports of special rapporteurs and representatives (*continued*)

Organization of work

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

03-63817 (E)

0363817

In the absence of Mr. Belinga-Eboutou (Cameroon), Mr. Maertens (Belgium), Vice-Chairman, took the Chair.

The meeting was called to order at 10.25 a.m.

Agenda item 117: Human rights questions

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/C.3/58/L.49, L.66, L.70, L.73, L.74, L.76 and L.77)

Draft resolution A/C.3/58/L.49: Human rights and mass exoduses

1. **The Chairman** invited the Committee to take action on draft resolution A/C.3/58/L.49, which had no programme budget implications, and announced that Albania, Bulgaria, Croatia, Estonia, Greece, Iceland, Latvia, Malta, Portugal, Romania, Slovakia, Slovenia and United States of America had joined the sponsors.

2. **Mr. de Barros** (Secretary of the Committee) read out the revisions that the Canadian delegation had announce when the draft resolution had been introduced.

3. *Draft resolution A/C.3/58/L.49, as orally revised, was adopted.*

Draft resolution A/C.3/58/L.58: Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms

4. **Ms. Otiti** (Uganda) said that her delegation had inadvertently been included among the sponsors owing to a technical error. While she asked to have Uganda's name removed, her delegation was in no way opposed to the contents of the draft resolution, which had been adopted at the 53rd meeting.

Draft resolution A/C.3/58/L.60: Access to medication in the context of pandemics such as HIV/AIDS, tuberculosis and malaria

5. **Mr. Zeidan** (Lebanon) said that, had it been present at the 53rd meeting, his delegation would have voted in favour of the draft resolution.

Draft resolution A/C.3/58/L.66: In-depth study on all forms of violence against women

6. **The Chairman** invited the Committee to take action on draft resolution A/C.3/58/L.66, which had no programme budget implications, and announced that Albania, Andorra, Armenia, Australia, Austria, Bolivia, Bosnia and Herzegovina, Bulgaria, Congo, Costa Rica, Dominica, Dominican Republic, Ecuador, Japan, Lithuania, Malta, Mongolia, Nicaragua, Nigeria, Panama, Republic of Korea, Republic of Moldova, Romania, Rwanda, Serbia and Montenegro, Thailand, the former Yugoslav Republic of Macedonia, Ukraine, United Republic of Tanzania, United States of America and Uruguay had joined the sponsors.

7. **Mr. Hof** (Netherlands) said that various revisions had been made to the draft resolution to address the concerns of some delegations. The second part of the first preambular paragraph, starting with the words "and including domestic violence", should be deleted. Subparagraph (a) should be revised to read:

> "To conduct an in-depth study, from existing available resources and if necessary supplemented by voluntary contributions, on all forms and manifestations of violence against women, as identified in the Beijing Declaration and Platform for Action adopted at the Fourth World Conference on Women and the outcome document of the special session of the General Assembly entitled 'Women 2000: gender equality, development and peace for the twenty-first century' and relevant documents, disaggregated by type of violence, and based on research undertaken and data collected at the national, regional and international levels, in particular in the following fields:"

Subparagraph (d) should be revised to read:

> "To make the study available to all Member States and Observers as well as other United Nations stakeholders and, on the basis of the study, to submit a report with the study as an annex, to the General Assembly at its sixtieth session, under the agenda item 'the advancement of women' including action-oriented recommendations, for consideration by States, encompassing, inter alia, effective remedies and prevention and rehabilitation measures."

Lastly, the phrase "under the agenda item 'the advancement of women'", should be added at the end of subparagraph (e).

8. *Draft resolution A/C.3/58/L.66, as orally revised, was adopted.*

Draft resolution A/C.3/58/L.70: The right to food

9. **The Chairman** invited the Committee to take action on draft resolution A/C.3/58/L.70, which had no programme budget implications, and announced that Andorra, Austria, Bosnia and Herzegovina, Burundi, Comoros, Djibouti, Gambia, Ireland, Italy, Lesotho, Liechtenstein, Mauritania, Mauritius, Niger, Saint Vincent and the Grenadines, Slovenia, Somali, Switzerland, the former Yugoslav Republic of Macedonia, Turkmenistan and Uganda had joined the sponsors.

10. At the request of the representative of the United States, a recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Germany, Ghana, Grenada, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

United States of America.

Abstaining:

Israel, Fiji.

11. *Draft resolution A/C.3/58/L.70 was adopted by 156 votes to 1, with 2 abstentions.*

12. **Mr. Moungara-Moussotsi** (Gabon), **Mr. Alaei** (Islamic Republic of Iran), **Mr. Zeidan** (Lebanon) and **Mr. Kafopoulos** (Greece) said that, had they been present, they would have voted in favour of the draft resolution.

Draft resolution A/C.3/58/L.73: Respect for the principles of national sovereignty and diversity of democratic systems in electoral processes as an important element for the promotion and protection of human rights

13. **The Chairman** invited the Committee to take action on draft resolution A/C.3/58/L.73, which had no programme budget implications, and announced that Cambodia, Democratic Republic of the Congo, Ethiopia, Haiti, Kenya, Mauritania, Namibia, Pakistan, Russian Federation, Rwanda, Somalia, Sudan, Swaziland, Syrian Arab Republic and United Republic of Tanzania had joined the sponsors.

14. **Mr. de Barros** (Secretary of the Committee) read out the revisions that the Cuban delegation had announced when the draft resolution had been introduced.

15. *A recorded vote was taken.*

In favour:

Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, China, Colombia, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Ghana, Grenada, Guyana, Haiti, Honduras, Indonesia, Iran (Islamic Republic of), Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Argentina, Australia, Canada, Chile, Israel, New Zealand, Norway, Switzerland, United States of America.

Abstaining:

Albania, Andorra, Armenia, Austria, Belgium, Bosnia and Herzegovina, Botswana, Bulgaria, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, India, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Nepal, Netherlands, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay.

16. *Draft resolution A/C.3/58/L.73, as orally revised, was adopted by 100 votes to 9, with 51 abstentions.*

17. **Mr. Moutari** (Niger) said that the Niger had voted in favour of the draft resolution to express its commitment to the principles of the sovereignty of States and their autonomy to choose their own destiny. By democratic systems, the Niger understood multi-party democracy that respected the fundamental rights and freedoms of individuals, the separation of powers and the independence of the judiciary, together with free and fair elections under independent electoral authorities.

18. **Mr. Amorós Núñez** (Cuba) said his delegation had endeavoured to seek a dialogue with all those delegations that continued to vote against the draft resolution, in order to reaffirm important principles concerning electoral systems.

Draft resolution A/C.3/58/L.74: Protection of migrants

19. **The Chairman** invited the Committee to take action on draft resolution A/C.3/58/L.74, which had no programme budget implications, and announced that Armenia, Bangladesh, Bolivia, Brazil, Burkina Faso, Cape Verde, Chile, Cuba, Ecuador, Haiti, Honduras, Mali, Morocco, Mozambique, Nigeria, Sri Lanka, Sudan and Tunisia had joined the list of sponsors. He took it that the Committee wished to adopt the draft resolution without a vote.

20. *Draft resolution A/C.3/58/L.74, as orally revised at the 54th meeting, was adopted.*

21. **Mr. Lim** Kok Thai (Singapore), explaining his delegation's position, said that migrants to Singapore enjoyed the same legal protection as Singaporean citizens. His Government respected their contribution to society and acknowledged its responsibilities for their welfare. However, persons considered to be illegal immigrants were dealt with according to the law of the land, as were those who harboured or employed them. Immigration policies were within the sovereign jurisdiction of a State and depended on a country's particular circumstances: Singapore was a small densely populated country that needed to strike a balance between the disparate needs of a racially and culturally heterogeneous population in order to preserve social harmony.

22. In a spirit of cooperation, his delegation had not stood in the way of consensus, but reserved the right to reconsider its position in future.

23. **Ms. Brancato** (United States of America) said that her delegation had joined the consensus on the

draft resolution despite some misgivings. The addition of ten new paragraphs from an earlier resolution adopted by the Commission on Human Rights to an already lengthy resolution certainly did nothing to advance the interests of Member States or address the needs of their citizens. The United States was a country of immigrants and welcomed legal immigrants and properly documented temporary visitors, including workers and students. Legal migrant workers, including the one million Americans who lived in other countries, were a vital part of the global economy and an important force for progress, but at the same time they must comply with all the laws when they moved to another country.

24. **Ms. Verrier-Frechette** (Canada) said that the two protocols to the United Nations Convention against Transnational Organized Crime — the Protocol against the Smuggling of Migrants by Land, Sea and Air and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children — were extremely important tools for protecting the rights of migrants and she welcomed their forthcoming entry into force.

Draft resolution A/C.3/58/L.76: Promotion of peace as a vital requirement for the full enjoyment of all human rights by all

25. **The Chairman** invited the Committee to take action on draft resolution A/C.3/58/L.76, which had no programme budget implications, and announced that Cambodia, Côte d'Ivoire, Democratic Republic of the Congo, Ethiopia, Gambia, Haiti, Kenya, Mozambique, Niger, Pakistan, South Africa, Suriname and Swaziland had joined the list of sponsors.

26. **Mr. Amorós Núñez** (Cuba) said he hoped that the changes made to the draft resolution would enable more delegations to support it and thereby reaffirm their commitment to the promotion of peace as vital to the full enjoyment of all human rights by all.

27. **The Chairman** announced that a recorded vote had been requested.

28. **Mr. Cavallari** (Italy), speaking in explanation of vote before the vote and on behalf of the European Union, said that some of the issues dealt with in the draft resolution would be better dealt with in other forums. The draft resolution dealt with the relationship between States, not with the relationship between States and their citizens or the exercise of individual human rights in relation the State, with which the Third Committee should concern itself. The countries of the European Union would therefore be voting against the draft resolution.

29. *A recorded vote was taken.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guyana, Haiti, Honduras, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Sierra Leone, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey,

Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Argentina, Chile, Guatemala, India, Nauru, Paraguay, Samoa, Singapore, Timor-Leste, Uruguay.

30. *Draft resolution A/C.3/58/L.76 was adopted by 108 votes to 50, with 10 abstentions.*

Draft resolution A/C.3/58/L.77: Globalization and its impact on the full enjoyment of all human rights

31. **The Chairman** invited the Committee to take action on draft resolution A/C.3/58/L.77, which had no programme budget implications, and announced that Burkina Faso, Côte d'Ivoire, Democratic Republic of the Congo, Indonesia, Kenya, Mauritius, Mozambique, Namibia, Suriname, Swaziland and Zimbabwe had joined the list of sponsors.

32. **Ms. Khalil** (Egypt) said that the social and international order to which everyone was entitled under article 28 of the Universal Declaration of Human Rights was one that promoted the inherent dignity of the human person, respected the right of people to freely determine their social, economic and political status and sought social progress through participatory development and by promoting equality and non-discrimination in a peaceful, interdependent and accountable world. The draft resolution under consideration was concerned with such an international order: it was not concerned with indicting or praising or defining globalization, but was an attempt to ensure that it benefited all countries and that human rights were not overlooked in the process.

33. *A recorded vote was taken.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Sierra Leone, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Brazil, Chile, Guatemala, Singapore.

34. *Draft resolution A/C.3/58/L.77 was adopted by 113 votes to 50, with 4 abstentions.*

35. **Ms. Borzi Cornacchia** (Italy), speaking on behalf of the European Union and the acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, said that the resolution failed to specify what the effects of globalization were on the enjoyment of human rights. In fact, many human rights and fundamental freedoms, such as freedom from torture or the right to a fair trial, were not affected by globalization. The European Union regretted that the

resolution focused on the negative aspects of globalization, without taking account of the new opportunities it offered for the promotion of human rights and the stimulation of economic growth. The resolution also failed to reflect adequately the fact that globalization involved a complex set of political, economic and other factors and it was wrong to state that there was a direct causal link between globalization and the aggravation of poverty. While it was true that not all countries were benefiting from the gains in an increasingly globalized world, most of the concerns in that respect were being dealt with in more appropriate forums, including the Working Group on the Right to Development. Members of the European Union had voted against the resolution because it was unbalanced and did not make any constructive contribution to the debate, and strongly urged the sponsors to think seriously before submitting the same resolution at the next session of the General Assembly.

36. **Mr. Roshdy** (Egypt) said that his delegation had been prepared to negotiate changes to the draft resolution but saw little point in negotiating with delegations which refused to see the negative impact of globalization and whose idea of negotiating was to produce a long list of amendments, including one amendment that equated developing countries with undemocratic regimes, and expect them to be incorporated in the text before negotiations could begin.

(c) Human rights questions: human rights situations and reports of special rapporteurs and representatives (*continued*) (A/C.3/58/L.67 and L.79)

Draft resolution A/C.3/58/L.67: Situation of human rights in Turkmenistan

37. **The Chairman** invited the Committee to take action on draft resolution A/C.3/58/L.67, which had no programme budget implications, and announced that Canada, Japan, Liechtenstein, Romania and Switzerland had joined the sponsors and that a recorded vote had been requested.

38. **Mr. Andrabi** (Pakistan) speaking in explanation of vote before the vote and on behalf of the Organization of the Islamic Conference (OIC), said that OIC had consistently opposed the practice of submitting draft resolutions that were selectively critical of developing Islamic countries, which transformed the work of the Third Committee into an extremely political exercise and did little to advance the cause of human rights. Since the adoption of Commission on Human Rights resolution 2003/11, the Turkmen Government had taken practical steps to improve the human rights situation in the country and had extended an official invitation to experts from the Office of the United Nations High Commissioner for Human Rights to visit the country with view to holding a constructive dialogue. The Turkmen Government also had close contacts with senior representatives of the Organisation for Security and Cooperation in Europe (OSCE), and had undertaken to implement a number of joint human rights projects with the OSCE office in Turkmenistan.

39. In view of the need to maintain an atmosphere in which cooperation in the field of human rights could be intensified, the member States of OIC would therefore vote against the draft resolution.

40. **Ms. Ataeva** (Turkmenistan) said that Commission on Human Rights resolution 2003/11, hastily adopted in April, did not enjoy broad support and failed to take account of both the situation on the ground and ongoing bilateral dialogue with the sponsors of the resolution. Her Government would continue to cooperate with the Organisation for Security and Cooperation in Europe (OSCE), the European Union, the European Commission, the Office of the United Nations High Commissioner for Human Rights and other organizations within the United Nations system with a view to promoting human rights in Turkmenistan.

41. Despite five joint projects with OSCE, appeals to the Office of the High Commissioner for technical assistance, invitations by the Turkmen President to European Union representatives to visit Turkmenistan at any time and other efforts to strengthen human rights, the sponsors of the resolution had submitted a second resolution, less than a year after the first, without considering the concerns and proposals of her Government. Her delegation did not believe that draft resolution A/C.3/58/L.67 would help to promote human rights in Turkmenistan. Dialogue, cooperation, technical legal assistance and joint projects, rather than the imposition of the draft resolution, were the best means of doing so.

42. Attempts to hasten democratization and reforms in a sovereign State would not bring about the desired

results. Affirming its commitment to the principles of non-discrimination, objectivity and impartiality with respect to human rights, her Government objected to the draft resolution and called on Member States to vote against it. In conclusion, her delegation expressed deep gratitude to the OIC States members for their unanimous support of Turkmenistan's position.

43. **Mr. Xie** Bohua (China) said that draft resolution A/C.3/58/L.67 falsely characterized the human rights situation in Turkmenistan. The Turkmen Government had taken steps to develop the economy and improve living standards, thus further guaranteeing the fundamental rights of citizens. Furthermore, Turkmenistan had signed several United Nations human rights agreements, including the International Covenant on Economic, Social and Cultural Rights and International Covenant on Civil and Political Rights. His delegation believed that dialogue and cooperation concerning human rights should be strengthened. However, it was opposed to the use of country-specific human rights resolutions to exert political pressure. In the light of the above, his delegation would vote against the draft resolution.

44. **Mr. Amorós Núñez** (Cuba) said that his delegation would vote against draft resolution A/C.3/58/L.67 because it did not protect human rights in any way. Moreover, the politically driven and one-sided draft resolution was designed to allow powerful countries of the North to dictate their policies to the countries of the South.

45. *A recorded vote was taken.*

In favour:

Albania, Andorra, Argentina, Australia, Austria, Bahamas, Belgium, Bolivia, Bosnia and Herzegovina, Bulgaria, Canada, Cape Verde, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Nauru, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Swaziland, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Against:

Azerbaijan, Bahrain, Bangladesh, Belarus, Brunei Darussalam, Cambodia, China, Cuba, Democratic People's Republic of Korea, Egypt, Georgia, India, Indonesia, Iran (Islamic Republic of), Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Morocco, Myanmar, Niger, Oman, Pakistan, Qatar, Republic of Moldova, Saudi Arabia, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Tunisia, Turkmenistan, Ukraine, United Arab Emirates, Viet Nam, Zimbabwe.

Abstaining:

Algeria, Angola, Antigua and Barbuda, Barbados, Belize, Benin, Bhutan, Botswana, Brazil, Burkina Faso, Burundi, Cameroon, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, Eritrea, Ethiopia, Gabon, Ghana, Grenada, Guyana, Haiti, Jamaica, Kazakhstan, Kenya, Lao People's Democratic Republic, Lesotho, Madagascar, Malawi, Maldives, Mali, Mauritania, Mozambique, Namibia, Nepal, Nigeria, Papua New Guinea, Philippines, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Sierra Leone, Singapore, South Africa, Suriname, Thailand, Togo, Trinidad and Tobago, Uganda, United Republic of Tanzania, Venezuela, Zambia.

46. *Draft resolution A/C.3/58/L.67 was adopted by 72 votes to 37, with 53 abstentions.*

47. **Ms. Pires** (Cape Verde) said that her delegation had inadvertently pushed the wrong voting button and had wished to abstain.

Draft resolution A/C.3/58/L.79/Rev.1: Situation of human rights in the Democratic Republic of the Congo

48. **Mr. Cavallari** (Italy) introduced the revised text on behalf of the sponsors, which had been joined by Andorra, Australia, Canada, China, Japan and Liechtenstein. The draft resolution reflected several positive developments, including the abolition of the Military Order Court and demonstrations of political will to promote democracy in the Democratic Republic of the Congo on the part of the Government of National Unity and Transition. However, the humanitarian

situation remained dire in vast parts of the country and countless atrocities were still being committed, particularly against women and children. Long-term stability in the Democratic Republic of the Congo required cooperation from the neighbouring States. He also highlighted the important role played by Congolese non-governmental organizations and the need to support the active involvement of civil society in conflict and post-conflict resolution and reconstruction.

49. **Ms. Khalil** (Egypt), speaking also on behalf of China, Dominica, Kuwait, Malaysia, Myanmar, Nigeria, Saudi Arabia, Singapore, Sudan, Swaziland and the United Arab Emirates, expressed great concern that the sponsors were attempting once again to impose their position on capital punishment — a position her delegation did not share — in a General Assembly resolution. States had a sovereign right to decide on the issue of capital punishment, which was permitted under international law. Furthermore, she strongly objected to the practice of one group of States imposing its views as universal norms on others. She therefore called on delegations to oppose paragraphs 3 (b) and 6 (e) of the draft resolution.

50. **Mr. Lim** (Singapore), speaking in reference to paragraphs 3 (b) and 6 (e) of the draft resolution, said he opposed country-specific human rights draft resolutions, which were driven by political rather than human rights considerations and had repeatedly divided the General Assembly. His delegation therefore deeply regretted the attempt to reopen an issue on which there was no consensus, especially in the light of General Assembly resolution 56/43 on cooperation between the United Nations and the Council of Europe.

Organization of work

51. **Ms. Groux** (Switzerland) said that, following the statements made by the delegation of Switzerland and several other delegations on the rationalization of the work of the Third Committee, a very constructive discussion had been held among members of the Committee, following which certain clarifications were necessary.

52. It was the prerogative of each State to submit one or several draft resolutions to the Committee. The comments made by the delegations had been made without any element of selectivity and applied to all draft resolutions. The intention had not been to impose any one point of view on the Committee but to invite delegations to consider the fact that more than 30 draft resolutions were duplicates of those submitted to the Commission on Human Rights, and also the possibility of submitting such resolutions every two or three years instead of annually.

53. The delegations on whose behalf she was speaking had acted in response to the recommendations of the Secretary-General contained in his report on the strengthening of the United Nations (A/57/387) and inspired by the efforts of the President of the General Assembly along those lines. Moreover, although most of the Main Committees had taken the time to consider those questions during the session, the Third Committee had not had time and the delegations had thought it useful to raise the issue.

The meeting rose at 12.20 p.m.